

EX PARTE OR LATE FILED

EX PARTE

WILLKIE FARR & GALLAGHER

ORIGINAL

PHILIP L. VERVEER  
202 303 1117  
pverveer@willkie.com

1875 K Street, N.W.  
Washington, DC 20006-1238  
Tel 202 303 1000  
Fax 202 303 2000

RECEIVED

AUG - 7 2003

August 7, 2003

Federal Communications Commission  
Office of Secretary

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: Ex Parte Presentation, Applications for Transfer of Control of Hispanic Broadcasting Corp., and Certain Subsidiaries, Licensees of KGBT AM, Harlingen, Texas et al. (Docket No. MB 02-235, FCC File Nos. BTC-20020723ABL, et al.)

Dear Ms. Dortch:

Yesterday I spoke by telephone with Commissioner Jonathan Adelstein about the Univision Communications-Hispanic Broadcasting transfer application.

The conversation focused upon the question of whether there are separate Spanish-language and English-language broadcasting markets and whether either ease of entry or some form of conditions would ameliorate the concentrative effect of the acquisition were it approved.

As to the market definition issue, I directed the Commissioner's attention to the record material submitted by Spanish Broadcasting System indicating that on the order of twenty million Hispanics living in the United States are not able, due to issues of language proficiency, to make functional use of English-language broadcasting. With respect to the entry issue, I directed the Commissioner's attention to the review of major market radio conversions from English between January 1, 2000, and March 31, 2003, submitted by Spanish Broadcasting System July 21, 2003. The review demonstrates both very few instances of conversions and, more importantly, the fact that almost all conversions were undertaken by the four largest, financially stable, incumbent Spanish-language radio groups. Thus, entry cannot be expected to ameliorate the harm to competition and diversity from the merger. Finally, I expressed doubt about whether the Commission could design and enforce conditions that would overcome the negative effects of the merger.

No. of Copies rec'd 071  
List ASODE

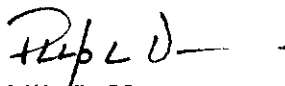
Marlene H. Dortch

Page 2

August 7, 2003

In accordance with the Commission's rules, I am submitting two copies of this letter.

Respectfully submitted,



Philip L. Verveer

cc: Commissioner Jonathan Adelstein  
Scott R. Flick, Counsel for Univision Communications, Inc.  
Roy R. Russo, Counsel for Hispanic Broadcasting Corp.  
Harry F. Cole, Counsel for Elgin FM Limited Partnership  
Arthur V. Belendiuk, Counsel for National Hispanic Policy Institute, Inc.